

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES,)	
)	
Plaintiff,)	
)	
vs.)	Cause No. 06-CR-30063 (DRH)
)	
DARYL MOORE,)	
)	
Defendant.)	

ORDER

HERNDON, District Judge:

Before the Court is an oral motion to continue trial presented by Defendant Daryl Moore ("Defendant") at the final pre-trial conference on October 6, 2006. After being advised of Defendant's current situation, the Court finds that trial should be postponed because Defendant requires immediate medical care to address a serious health condition. In addition, the Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such a continuance outweigh the interests of the public and Defendant in a speedy trial and that failure to grant a continuance would exact a manifest miscarriage of justice. Therefore, the Court **GRANTS** Defendant's motion to continue. The Court **CONTINUES** the jury

trial scheduled for Monday, October 16, 2006, at 9:00 a.m. until Monday, January 29, 2007 at 9:00 a.m. The time from the date Defendant's motion was raised, October 6, 2006, until the date on which the trial is rescheduled, January 29, 2007, is excludable time for the purposes of speedy trial.

IT IS SO ORDERED.

Signed this 10th day of October, 2006.

/s/ David RHerndon
United States District Judge